

STATE PROCUREMENT OFFICE
NOTICE OF REQUEST FOR EXEMPTION
FROM HRS CHAPTER 103D

16 SEP 21 P3:31

ADMINISTRATION
STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Attorney General
Name of Requesting Department

Pursuant to HRS § 103D-102(b)(4) and HAR chapter 3-120, the Department requests a procurement exemption for the following:

1. Describe the goods, services or construction:

Maintenance services for the hardware and software of the Hawaii Automated Fingerprint Identification System (AFIS) and its associated components. This includes providing a price list off of which components may be purchased.

This system is integral to the identification process for law enforcement agencies and the background check process for civil agencies. While the system is in the midst of an upgrade, until the upgraded system is in place, it is imperative that the current system be maintained. The implementation of the upgraded system has been delayed as the HCJDC is also developing a statewide Rap Back program. The Lights-Out Transaction Controller (LOTC) which controls the workflow of the identification process is being updated for the Rap Back program and until this can be fully tested and implemented, the upgraded AFIS cannot be deployed.

2. Vendor/Contractor/Service Provider:

MorphoTrak, Inc.

LLC

Sam
9/29/16

3. Amount of Request:

\$ 40,676 per month

4. Term of Contract From: 1/1/2017

To: 12/31/2017

5. Prior SPO-007, Procurement Exemption (PE): PE12-086D

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:

See attached.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

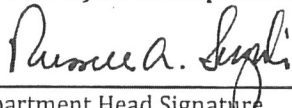
See attached.

8. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).

*Point of contact (Place asterisk after name of person to contact for additional information).

Name	Division/Agency	Phone Number	e-mail address
Laureen Uwaine	HCJDC	587-3341	laureen.mu.uwaine@hawaii.gov

*All requirements/approvals and internal controls for this expenditure is the responsibility of the department.
I certify that the information provided above is, to the best of my knowledge, true and correct.*



acting Department Head Signature

9-19-16

Date

For Chief Procurement Officer Use Only

Date Notice Posted: 9/22/16

Inquiries about this request shall be directed to the contact named in No. 8. Submit written objection to this notice to issue an exempt contract within seven calendar days or as otherwise allowed from date notice posted to:

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

Approval is granted for the period 1/1/2017 to 12/31/2017 or sooner if testing and implementation of the "Lights-Out Transaction Controller" is successful. This is the final approval and no further procurement exemption request with MorphoTrak, Inc. will be accepted by the State Procurement Office. The department should start their acquisition plan if these services are needed after 12/31/2017. This approval is for the solicitation process only, HRS Section 103D-310(c) and HAR Section 3-122-112 shall apply (i.e. vendor is required to provide proof of compliance and may use the Hawaii Compliance Express) and the award is required to be posted on the Awards Reporting System. Copies of the compliance and the awards posting are required to be documented in the procurement/contract file.

If there are any questions, please contact Stanton Mato at 586-0566 or Stanton.d.mato@hawaii.gov.

☒ Approved

☐ Disapproved

☐ No Action Required



Chief Procurement Officer Signature

10/6/16

Date

Attachment to
NOTICE OF REQUEST FOR EXEMPTION
FROM HRS CHAPTER 103D

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:

The software provided by MorphoTrak, Inc. for the Hawaii AFIS as well as its components are proprietary.

The hardware was not manufactured by MorphoTrak, Inc., but it has been specifically configured to work with the proprietary software. There are various brands of hardware used for the Hawaii AFIS and while it is possible for individual manufacturers to maintain them, the system is over 9 years old and the Hawaii Criminal Justice Data Center (HCJDC) has found it virtually impossible to obtain quotes from other vendors to maintain the hardware.

In 2012, IBM had agreed to give us a quote since the servers making up the system are IBM servers, but they said outright that they will not support the workstations. Over the years, when issues arose with the workstations, MorphoTrak, Inc. has switched out boards and other components in order to resolve the problems. Therefore, IBM (or any other vendor) does not want to support those pieces of equipment. In obtaining quotes for the servers, there are more than 10 servers in the system for which IBM cannot even find on their inventory list and for which IBM is unable to give us a quote.

Because of this and the tight coupling of the hardware configuration to the software, it appears MorphoTrak, Inc. is the only vendor that can provide the comprehensive necessary maintenance for the Hawaii AFIS. It is imperative that this mission critical system be maintained.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

See above.